

Pub. Imp. _____
Govt. Grnt. _____
Emer. _____
P. Hrngs. _____
Pgs. 4
Filed: 03-06-12

Sponsored by: Compton

First Reading: March 12, 2012

Second Reading: March 26, 2012

COUNCIL BILL NO. 2012- 074

GENERAL ORDINANCE NO. 5984

AN ORDINANCE

AMENDING Chapter 36, Article III of the Springfield City Code, known as the Land Development Code, by repealing Sub-Article XVI, Existing Building Code, in its entirety, and enacting in lieu thereof a new Sub-Article XVI, Existing Building Code.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, MISSOURI, as follows, that:

Section 1 – General Ordinance No. 5627 is hereby repealed.

Section 2 – Adoption of 2012 International Existing Building Code. The City Council hereby adopts The 2012 International Existing Building Code as published by the International Code Council, and all referenced standards therein as if spelled out in this ordinance, save and except such portions thereof as are hereinafter deleted, modified or amended. This Code shall be designated as Sub-Article XVI, Existing Building Code, of Chapter 36, Article III of the Springfield City Code, known as the Land Development Code. One (1) copy of said Code is on file in the office of the City Clerk, Busch Municipal Building, 840 Boonville Avenue, Springfield, Missouri.

Section 3 – Deletions, modifications, amendments and additions.

The 2012 International Existing Building Code as adopted is hereby amended and changed as follows:

- A. Repeal Chapter 1 in its entirety. Requirements of this chapter are included in Chapter 36, Article III of the Springfield City Code, known as the Land Development Code, Sub-Article XII.
- B. Amend all chapters that make reference to any section contained in the repealed Chapter 1 by directing all references to Sub-Article XII of the Land Development

Code and to those sections in Sub-Article XII that correspond in numbering or content to the referenced section.

- C. Amend all adopted chapters and appendices in accordance with all errata hereafter identified and published by the International Code Council after the date of the first printing of the 2012 International Existing Building Code.
- D. Repeal the text of subsections 707.1, 811.1 and 908.1 in their entirety, and replace with the following:

Minimum energy requirements. Alterations to existing buildings or structures are permitted without requiring the entire building or structure to comply with the energy requirements of the adopted International Existing Building Code or International Residential Code. Only those portions of buildings or structures that are altered shall conform to the energy requirements of the adopted International Building Code or International Residential Code.

Note: Language appearing in **bold** is to be added.

- E. Amend Section 804, Fire protection, subsection 804.2.2, Groups A, B, E, F-1, H, I, M, R-1, R-2, R-4, S-1 and S-2, by deleting the following exception:

~~Exception 1: Work areas in Group R occupancies three stories or less in height.~~

Note: Language appearing as ~~stricken~~ is to be removed.

- F. Amend Section 1401, General, subsection 1401.2, Applicability, by inserting the following date in the designated location:

"May 7, 1956"

Note: Language appearing in **bold** is to be added.

- G. Repeal all language referencing flood hazard areas in sections and replace with the following:

All structures located within a designated flood hazard area shall comply with General Ordinance No. 5907, dated November 1, 2010.

Note: Language appearing in **bold** is to be added.

Section 4 – Savings Clause. Nothing in this ordinance shall be construed to affect any suit or proceeding now pending in any court or any rights acquired or liability incurred nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby, or shall any right or remedy of any character be lost, impaired, or affected by this ordinance.

80 Section 5 – Severability Clause. If any section, subsection, sentence, clause, or
81 phrase of this ordinance is for any reason held to be invalid, such decision shall not
82 affect the validity of the remaining portions of this ordinance. The Council hereby
83 declares that it would have adopted the ordinance and each section, subsection,
84 sentence, clause, or phrase thereof, irrespective of the fact that any one or more
85 sections, subsections, sentences, clauses, or phrases be declared invalid.

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87 Section 6 – Penalty Clause. Any person violating any of the provisions of this
88 ordinance, or failing to comply with any order issued pursuant to any section thereof, or
89 who shall erect, construct, alter or repair a building, structure or system in violation of an
90 approved plan or directive of the Code Official or of a permit or certificate issued under
91 the provisions of these Codes shall be guilty of a violation of a municipal ordinance and
92 upon conviction thereof shall be punished as provided for in Section 1-7 of the City
93 Code, except that any fine imposed shall not be less than Two Hundred Dollars (\$200)
94 for the first offense, Four Hundred Dollars (\$400) for the second offense, and Five
95 Hundred Dollars (\$500) for every offense thereafter. Each day that a violation
96 continues, after a service of notice as provided for in these Codes, shall be deemed a
97 separate offense. Notice as set forth in Section 36-1267 shall not be required in order
98 to prosecute a person for a violation of any provision of this article or these Codes,
99 except such notice shall be required to prosecute a person for failure to comply with an
100 order.

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102 Section 7 – This ordinance shall be in full force and effect from and after
103 May 1, 2012.

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105 Passed at meeting: March 26, 2012

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109 _____ Mayor

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112 Attest: Brenda M. Lutz, City Clerk

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115 Filed as Ordinance: March 26, 2012

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119 Approved as to form: Duke McDonald Assistant City Attorney

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122 Approved for Council Action: [Signature] City Manager

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124 N:\SHARE\CBILLS - 2012\02-27-12\Existing Building Code - 2012 Adoptive Ordinance100911.doc

Affected Agency Notified: _____
Emergency Required: _____
Budget Adjust. Required _____
Board Rec. Required _____
Public Hearing: _____
Sponsor: _____
Date: _____

EXPLANATION TO COUNCIL BILL NO. 2012-074

ORIGINATING DEPARTMENT: BUILDING DEVELOPMENT SERVICES

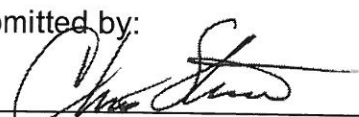
PURPOSE: To amend certain Sections of Chapter 36, Article III of the Springfield City Code known as the Land Development Code, to provide the City of Springfield with the most recent Existing Building Code.

BACKGROUND AND REMARKS: The current existing building code enforced by the City is the 2006 International Building Code. With the adoption of the 2012 International Existing Building Code, the City will be adopting the most up-to-date, nationally recognized existing building code. The provisions contained within this ordinance do not unnecessarily increase construction costs; do not restrict the use of new materials, productions, or methods of construction; and do not give preferential treatment to particular types or classes of materials, products, or methods of construction.

The Building Development Services Department has met with representatives of the local design and construction industry over the course of the past nine months to discuss the ramifications of adopting this new code. Request for comment was made to designers, electricians, plumbers, mechanical contractors, gas fitters, general contractors, developers, and others that may be affected by the adoption of this code. The language of this ordinance was placed on the City website for review by the members of the Home Builders Association, Springfield Contractors Association, Missouri Society of Professional Engineers, the local chapter of the American Institute of Architects, and the Development Issues Input Group. Discussions with the Development Issues Input Group resulted in a consensus to move forward with the adoption of this code, provided a mechanism is put in place to allow the staff of Building Development Services to consider alternative design standards and practices beyond those described in the 2012 International Existing Building Code.

This provision has been made as part of the compilation of the administrative chapters of the codes being adopted. The compilation is known as Article XII, Administrative and Enforcement of Codes, of the Land Development Code.

Submitted by:


Building Development Services

Approved by:


City Manager